

TYPE III DEVELOPMENT & ENVIRONMENTAL REVIEW, STAFF REPORT & RECOMMENDATION

Form DS1402



Project Name: PARKVIEW HEIGHTS SUBDIVISION

Case Number: PLD2004-00045; SEP2004-00073; ARC2004-00030

Hearing Examiner: Daniel Kearns

Request: Subdivide 4.39 acres into 59 single-family residential attached townhomes in the R-43 zone district

Applicant: DKRB Properties
PO Box 10624
Portland, Or 97296
Phone - (503) 317-2502

Contact: Olson Engineering, Inc.
Attn: Vanessa Rake
1111 Broadway
Vancouver, WA 98660
Phone - (360) 695-1385, **Fax** - (360) 695-8117
E-mail - vanessa@olsonengr.com

Applicant/Owner: Seventh Day Adventists Stanley S. Straub
1698 SE Tech Center PO Box 5080
Vancouver, WA 98683 Vancouver, WA 98668

RECOMMENDATION

APPROVAL, subject to conditions

Team Leader's Initials: _____ **Date Issued:** 9/22/04

Public Hearing Date: October 7, 2004

County Review Staff:

	<u>Name</u>	<u>Phone Ext.</u>	<u>E-mail Address</u>
Planner:	Richard Daviau	4895	richard.daviau@clark.wa.gov
Engineer:	Paul Knox	4910	paul.knox@clark.wa.gov
Engineer: (Trans. Concurrency)	Shelley Oylear	4354	shelley.oylear@clark.wa.gov
Team Leader:	Susan Ellinger	4272	susan.ellinger@clark.wa.gov
Eng. Supervisor:	Richard Drinkwater, P.E.	4492	richard.drinkwater@clark.wa.gov
Engineer: (Trans. Concurrency)	Steve Schulte, P.E.	4017	steve.schulte@clark.wa.gov

Comp Plan Designation: Urban High Density

Zoning: R-43

Legal Description: Tax Lots 6/4 (145536), 10/4 (145540), and 7/4 (145537) in the Southwest quarter of Section 2, Township 2 North, Range 1 East of the Willamette Meridian

Applicable Laws:

Clark County Code Chapters: 40.220.020 (Residential Districts); 40.260.230 (Townhouse Standards); 40.350.020 (Concurrency); 40.350.030 (Transportation Standards); 40.370.010 (Sewer); 40.370.020 (Water); 40.380 (Stormwater and Erosion Control); 15.12 (Fire); 40.5 (Procedures); 40.540.040 (Subdivisions); 40.570 (SEPA); 40.6 (Impact Fees); and RCW 58.17 (State Platting Laws)

Neighborhood Association:

NE Hazel Dell Neighborhood Association, **Contact** – Bud Van Cleve, 1407 NE 68th Street, Vancouver, WA 98665, **Phone** - (360) 695-1466

Time Limits:

The application was submitted on April 30, 2004 and determined to be fully complete on June 23, 2004. The project was on-hold from September 9, 2004 to October 7, 2004 so the applicant could submit a revised plan. Therefore, the County Code requirement for issuing a decision within 92 days lapses on October 21, 2004. The State requirement for issuing a decision within 120 calendar days lapses on November 18, 2004.

Vesting:

An application is reviewed against the subdivision, zoning, transportation, stormwater and other land development codes in effect at the time a fully complete application for preliminary approval is submitted. If a pre-application conference is required, the application shall earlier contingently vest on the date the fully complete pre-application is filed.

A pre-application conference on this matter was held on October 23, 2003 and the application was sufficiently complete to qualify for contingent vesting. However, a fully complete application was not filed within 180 calendar days from the issuance of the pre-application conference report; therefore, the application is vested on the fully complete submittal date of June 9, 2004. The application vested for transportation concurrency on June 9, 2004.

Public Notice:

Several methods of community outreach were utilized in processing this application. Original notice of application and public hearing was mailed to the applicant, neighborhood association, and property owners within 300 feet of the site on July 7, 2004. Revised notice of application and public hearing (for October 7, 2004) was mailed to the applicant, neighborhood association, and property owners within 300 feet of the site on August 18, 2004. One sign was posted on the subject property and two within the vicinity on September 22, 2004. Notice of the SEPA Determination and public

hearing was published in the "Columbian" Newspaper on September 22, 2004. A public hearing will be held on October 7, 2004 which will offer the public another opportunity to comment on the proposed development.

Public Comments:

The County has not received written comments to date regarding the proposal.

Project Description/Background

The applicant proposes to divide the subject site into 59 single-family attached residential lots. All lots in the proposed subdivision will access NE 88th Loop (the proposed on-site public road) to NE 88th Street. The following is a comprehensive plan, zoning and use chart of the area surrounding the site:

Compass	Comp Plan	Zoning	Current Land Use
Site	UH	R-43	Single-family residential
North	UH	R-43	Professional & Dental Offices Residential
South	UH	R-43	Vacant
East	UH	R-43	Single-family residential
West	UH	R-43	Single-family residential

Major Issues and Analysis

Staff first analyzed the proposal in light of the 16 topics from the Environmental Checklist (see list below). The purpose of this analysis was to identify any potential adverse environmental impacts that may occur without the benefit of protection found within existing ordinances.

- | | |
|---------------------------------|--|
| 1. Earth | 9. Housing |
| 2. Air | 10. Aesthetics |
| 3. Water | 11. Light and Glare |
| 4. Plants | 12. Recreation |
| 5. Animals | 13. Historic and Cultural Preservation |
| 6. Energy and Natural Resources | 14. Transportation |
| 7. Environmental Health | 15. Public Services |
| 8. Land and Shoreline Use | 16. Utilities |

Then staff reviewed the proposal for compliance with applicable code criteria and standards in order to determine whether all potential impacts will be mitigated by the requirements of the code.

Staff's analysis also reflects review of agency and public comments received during the comment period, and knowledge gained through a site visit.

Major Issues:

Only the major issues, errors in the development proposal, and/or justification for any conditions of approval are discussed below. Staff finds that all other aspects of this proposed development comply with the applicable code requirements, and, therefore, are not discussed below.

LAND USE:

Finding 1 – Density

The applicant has submitted a revised plat for proposed development (Exhibit 17) that identifies a gross area of 4.39 acres with an allowed density range of 20 to 43 units per acre (for the R-43 Zoning District). Pursuant to CCC 40.220.020 (C2)(c)(1), minimum densities shall be calculated based on the site minus any public road right-of-way, required landscaping, and land designated by covenant as wetland buffer. The proposed development contains 1.18 acres of public road right-of-way, .19 acres of required landscaping, and .07 acres of wetland buffer that will be protected by a covenant running with the land. Based on 2.95 acres of net site area, 59 units are needed to meet minimum density requirements. The proposed development complies with density requirements because applicant has provided 59 residential units.

Finding 2 – Townhouse Standards

Pursuant to CCC 40.260.230 – Table 1, townhouse lots are required to be at least 1,000 square feet, a minimum width of 18 feet, and a minimum depth of 50 feet. Staff finds that all lots in the proposed plat comply with these standards.

The applicant has submitted a site plan which identifies at least two parking spaces per unit; this exceeds the required one parking space per unit.

Pursuant to townhouse standards, no more than 40 percent of the total front façade of each unit may be garage door area. The applicant has submitted an 8 ½ x 11 size photo plan (not to scale) that does not clearly demonstrate compliance with this requirement. Compliance with this requirement should be provided prior to final plat approval. (See Condition A-1)

Finding 3 – Setbacks

The following setbacks apply to the proposed plat:

- Eighteen foot front setback for garages (or other similar vehicular shelter)
- Ten foot front setback for other buildings
- Ten foot street side setback
- Zero-foot side attached setback
- Five foot standard side and rear setback for all other setbacks in the plat

The applicant has submitted a site plan which can comply with setback requirements. A note on the plat is warranted that identifies setback requirements (see Plat Note C-1).

Finding 4 – Landscape Buffers

Pursuant to CCC Table 18.402A-1, L2 Landscape Standards are required along the site's frontage of NE 88th Street. The applicant has submitted a plan that identifies

compliance with the tree component of the L2 standards, but does not identify compliance with the shrub component. The applicant should submit a plan that identifies compliance with the shrub component of the L2 standards along the site's frontage of NE 88th Street. (See Condition A-2)

Finding 5 - State Platting Standards (RCW 58.17)

With conditions of approval, staff finds the proposed subdivision will make appropriate provisions for the public health, safety, and general welfare. Continued connection of the existing and future residences to public water and sewer, as well as treatment of any future increase of stormwater runoff, will be provided, to protect groundwater supply and integrity. Impact Fees will also be required to contribute a proportionate share toward the costs of school, park and transportation provisions, maintenance and services.

The applicant needs to address safe walking conditions for students who walk to school. Are students bussed to all three schools?

ARCHEOLOGICAL:

Finding 6

The proposal is located within a high probability area for containing cultural resources. An archaeological predetermination was completed for the site by the County Archaeologist. Historic items were found, but they are not considered significant. It is recommended that no further archaeological work is necessary. If any cultural resources are discovered in the course of development construction, the Office of Archaeology and Historic Preservation in Olympia and Heritage Trust of Clark County should be notified. Failure to comply with these State requirements may constitute a Class C felony, subject to imprisonment and/or fines (see Condition C-2).

WETLANDS:

Finding 7

Staff concurs with the proposed wetland buffer boundary mapped on the preliminary plat. Wetland buffers meet Type D criteria. No impacts or reductions are proposed, therefore only the standard requirements in CCC 40.450.030 (E) (4) apply (refer to Standard Condition D-2).

TRANSPORTATION CONCURRENCY:

Finding 8 – Concurrency

County concurrency staff has reviewed the proposed subdivision consisting of 58 attached townhouse units. The applicant's traffic study has estimated the weekday AM peak hour trip generation at 26 new trips, while the PM peak hour trip generation is estimated at 30 trips. The applicant submitted a traffic study for this proposal in accordance with CCC 40.350.020B and is required to meet the standards established in CCC 41.350.020G for corridors and intersections of regional significance. The County's TraffixTM model includes the intersections of regional significance in the area and the County's model was used to evaluate concurrency compliance.

Site Access - Level of Service (LOS) standards are not applicable to accesses that are not regionally significant; however, the LOS analysis provides information on the

potential congestion and safety problems that may occur at the site access onto NE 88th Street. The access appears to maintain acceptable LOS.

Operating LOS on Corridors - The proposed development was subject to concurrency modeling. The modeling results indicate that the operating levels comply with travel speed and delay standards. The applicant should reimburse the County for costs incurred in running the concurrency model. (See condition A-3)

Intersection Operating LOS - The proposed development was subject to concurrency analysis for intersections of regional significance. Capacity analyses were also conducted for impacts to public roadway intersections adjacent to the proposed development site. The study reports acceptable operating levels for the NE 25th Avenue/NE 88th Street intersection.

Concurrency Compliance - The proposed development complies with the Concurrency Ordinance CCC 40.350.020.

Finding 9 - Safety

Where applicable, a traffic study shall address the following safety issues:

- traffic signal warrant analysis
- turn lane warrant analysis
- accident analysis
- any other issues associated with highway safety

Mitigation for off-site safety deficiencies may only be a condition of approval on development in accordance with CCC 12.05.230. This ordinance states that “nothing in this chapter shall be construed to preclude denial of a proposed development where off-site road conditions are inadequate to provide a minimum level of service as specified in Chapter 12.41 CCC or a *significant* traffic or safety hazard *would be caused or materially aggravated* by the proposed development: provided that the developer may voluntarily agree to mitigate such direct impacts in accordance with the provisions of RCW 82.02.020.”

Traffic Signal Warrants - Signal warrants are not met at any of the subject intersections analyzed in the applicant's traffic study.

Turn Lane Warrants - Turn lane warrants are evaluated at unsignalized intersections to determine if a separate left or right turn lane is needed on the uncontrolled roadway. The applicant's traffic study analyzed the roadways in the local vicinity of the site to determine if turn lane warrants are met. Turn lane warrants were not met at any of the unsignalized intersections analyzed in the applicant's traffic study; therefore, mitigation is not required.

Historical Accident Situation - The applicant's traffic study analyzed the accident history at the regionally significant intersections; however, all of the historical accident rates at these intersections are below 1.0 accidents per million entering vehicles. Therefore, mitigation by the applicant is not required.

Traffic Controls During Construction - During site development activities, the public transportation system (roadways, sidewalks, bicycle lanes, etc.) may be temporarily impacted. In order to minimize these impacts and coordinate work occurring in the public right-of-way, the applicant will need to prepare and have approved a Traffic Control Plan. (See Condition B-2)

The applicant shall maintain all existing signs within the public right of way within the limits of the development's construction until the public roads have been accepted by the County. The developer shall install and maintain temporary signs where the development's signing and striping plan shows new or modified warning or regulatory signs. New or modified temporary signing shall be installed when any connection is made to the public road network. The developer shall remove the temporary signs immediately after the County installs the permanent signing and striping.

TRANSPORTATION:

Engineering comments have not yet been completed, upon their availability, they will be subsequently mailed to the applicant and all parties of record.

STORMWATER:

Engineering comments have not yet been completed, upon their availability, they will be subsequently mailed to the applicant and all parties of record.

FIRE PROTECTION:

Finding 10

Tom Scott (in the Fire Marshal's Office) reviewed this application. Tom can be reached at (360) 397-2375 x 4095 or 3323 if there are any questions regarding the following review (The site is in Clark County Fire District 5):

- a. Building construction occurring subsequent to this application shall be in accordance with the provisions of the county's building and fire codes. Additional specific requirements may be made at the time of building construction as a result of the permit review and approval process. (See Condition B-1)
- b. Fire flow in the amount of 2,250 gallons per minute supplied for two hours duration is required for this application. The applicant has submitted a utility review from the water purveyor indicating that the required fire flow is **not** available at the site. Water mains supplying fire flow and fire hydrants shall be installed, approved and operational prior to final plat approval. (See Condition A-4)
- c. Fire hydrants are required for this application and the indicated number and spacing is inadequate. Provide fire hydrants such that the maximum spacing between hydrants does not exceed 300 feet and such that no lot or parcel is in excess of 300 feet from a fire hydrant as measured along approved fire apparatus access roads. Hydrants shall be installed per Fire Marshal standards with locations approved by the Fire District Chief. (See Condition A-4)
- d. The roadways and maneuvering areas as indicated in the application adequately provide required fire apparatus access. The applicant shall ensure that fire apparatus access roads maintain an unobstructed width of not less than 20 feet, an

unobstructed vertical clearance of not less than 13.5 feet, with an all weather driving surface capable of supporting the imposed loads of fire apparatus. Parallel parking is prohibited on streets that are less than 24 feet wide and shall be posted "No Parking". (See Condition A-5)

- e. Approved fire sprinkler and fire alarm systems are required at the time of construction for buildings in this application. Such systems require separate review and approval issued by the Fire Marshal office. (see Condition B-3)

HEALTH DEPARTMENT:

Finding 11

Submittal of a "Health Department Evaluation Letter" is required as part of the Final Construction Plan Review application. If the Evaluation Letter specifies that an acceptable "Health Department Final Approval Letter" must be submitted, the Evaluation Letter will specify the timing of when the Final Approval Letter must be submitted to the county (e.g., at Final Construction Plan Review, Final Plat Review or prior to occupancy). The Health Department Evaluation Letter will serve as confirmation that the Health Department conducted an evaluation of the site to determine if existing wells or septic systems are on the site, and whether any structures on the site have been/are hooked up to water and/or sewer. (See Condition D-7)

UTILITIES:

Finding 12

The applicant has submitted utility reviews from the Clark Public Utilities and the Hazel Dell Sewer District indicating that public water and sewer is available to the subject site. A copy of the final acceptance letter from the sewer and water purveyor should be submitted to the Health Department with the final plat mylar. The applicant needs to comply with all requirements of the purveyor." (see Conditions D-8 and D-9)

IMPACT FEES:

Finding 13

All residential lots created by this plat will produce impacts on schools, parks, and traffic, and will be subject to School (SIF), Park (PIF), and Traffic Impact Fees (TIF). The site is within the Vancouver School District with a SIF of \$1,450.00 per dwelling, Park District 8 with a PIF of \$994.00 (acquisition) & 321.00 (Development) per dwelling, and the Hazel Dell Transportation Subarea with a TIF of \$811.90 per dwelling.

Impact fees shall be paid prior to issuance of a building permit for each lot. If a building permit application is made more than three years following the date of preliminary plat approval, the impact fees will be recalculated according to the then-current ordinance rate. (see Condition B-4 & C-6)

SEPA DETERMINATION

As lead agency under the State Environmental Policy Act (SEPA) Rules [Chapter 197-11, Washington Administrative Code (WAC)], Clark County must determine if there are

possible significant adverse environmental impacts associated with this proposal. The options include the following:

- **DS = Determination of Significance** (The impacts cannot be mitigated through conditions of approval and, therefore, requiring the preparation of an EIS;
- **MDNS = Mitigated Determination of Non-Significance** (The impacts can be addressed through conditions of approval), or;
- **DNS = Determination of Non-Significance** (The impacts can be addressed by applying the County Code).

Determination:

Determination of Non-Significance (**DNS**). Clark County, as lead agency for review of this proposal, has determined that this proposal does not have a probable significant adverse impact on the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(e). This decision was made after review of a completed environmental checklist and other information on file with the County.

Date of Publication & Comment Period

Publication date of this DNS is September 22, 2004, and is issued under WAC 197-11-340. The lead agency will not act on this proposal until the close of the 14-day comment period, which ends on October 6, 2004 (**the Public Comment Deadline**).

<p style="text-align: center;"><u>Public Comment Deadline:</u> October 6, 2004</p>
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SEPA Appeal Process:

An **appeal** of this SEPA determination and any required mitigation must be filed with the Department of Community Development within fourteen (14) calendar days from the date of this notice. The SEPA appeal fee is **\$186**.

A **procedural appeal** is an appeal of the determination (i.e., determination of significance, determination of non-significance, or mitigated determination of non-significance). A **substantive appeal** is an appeal of the conditions required to mitigate for probable significant issues not adequately addressed by existing County Code or other law.

Issues of compliance with existing approval standards and criteria can still be addressed in the public hearing without an appeal of this SEPA determination.

Both the **procedural and substantive appeals** must be filed within fourteen (14) calendar days of this determination. Such appeals will be considered in the scheduled public hearing and decided by the Hearing Examiner in a subsequent written decision.

Appeals must be in writing and contain the following information:

1. The case number designated by the County and the name of the applicant;

2. The name and signature of each person or group (petitioners) and a statement showing that each petitioner is entitled to file an appeal as described under Section 18.600.100 (A) of the Clark County Code. If multiple parties file a single petition for review, the petition shall designate one party as the contact representative with the Development Services Manager. All contact with the Development Services Manager regarding the petition, including notice, shall be with this contact person;
3. A brief statement describing why the SEPA determination is in error.

The decision of the Hearing Examiner on any SEPA appeal is can not be appealed the Board of County Commissioners, but must pursue judicial review.

Staff Contact Person: Richard Daviau, (360) 397-2375, ext. 4895

Responsible Official: Michael V. Butts
Department of Community Development

RECOMMENDATION

Based upon the findings and conclusions stated above, staff recommends that the Hearing Examiner **APPROVE** this request with the understanding that the applicant is required to adhere to all applicable codes and laws, and is subject to the following conditions of approval:

Conditions of Approval

A. Conditions that must be met prior to Final Plat Approval:

- A-1 The applicant shall submit elevation plans that clearly demonstrate that no more than 40 percent of the total front façade of each unit is garage door area (see Finding 2)
- A-2 The applicant should submit a plan that identifies compliance with the shrub component of the L2 standards along the site's frontage of NE 88th Street (see Finding 4)
- A-3 The applicant shall reimburse the County for the cost of concurrency modeling incurred in determining the impact of the proposed development, in an amount not to exceed \$1,500. The reimbursement shall be made within 60 days of issuance of the decision with evidence of payment presented to staff at Clark County Public Works. (See Finding 8)
- A-4 The applicant shall provide documentation from the water purveyor that the required fire flow is available at the site or obtain approval of an alternative from the Fire Marshal Office. Water mains supplying fire flow and fire hydrants shall be installed, approved and operational. Provide fire hydrants such that the maximum spacing between hydrants does not exceed 300 feet and such that no lot or parcel is in excess of 300

feet from a fire hydrant as measured along approved fire apparatus access roads. Hydrants shall be installed per Fire Marshal standards with locations approved by the Fire District Chief. (See Finding 10b & c)

- A-5 The applicant shall provide an unobstructed vertical clearance of not less than 13.5 feet, with an all weather driving surface and capable of supporting the imposed loads of fire apparatus. Parallel parking is prohibited on streets that are less than 24 feet wide and shall be posted "No Parking". (See Finding 10d)

B. Conditions that must be met prior to Building Permit Issuance:

- B-1 Building construction occurring subsequent to this application shall be in accordance with the provisions of the county's building and fire codes. Additional specific requirements may be made at the time of building construction as a result of the permit review and approval process.
- B-2 Prior to issuance of any building or grading permits for the development site, the applicant shall obtain written approval from Clark County Department of Public Works of the applicant's Traffic Control Plan (TCP). The TCP shall govern all work within or impacting the public transportation system. (See Finding 9)
- B-3 Approved fire sprinkler and fire alarm systems are required at the time of construction for buildings in this application. Such systems require separate review and approval issued by the Fire Marshal office.
- B-4 School, Park and Traffic Impact Fees are required for lots in this plat - \$1,450.00 (Vancouver Ground School District), \$1,315 (\$994.00, Acquisition + \$321.00, Development - Park District 8), and \$811.90 (Hazel Dell Transportation sub-area) respectively. Impact fees shall be paid prior to issuance of a building permit for each lot. If a building permit application is made more than three years following the date of preliminary plat approval, the impact fees will be recalculated according to the then-current ordinance rate.

C. Notes Required on Final Plat

The following notes shall be placed on the final plat:

C-1 Setbacks:

"The following setbacks apply to the proposed plat (see Finding 3):

- a. Eighteen foot front setback for garages (or other similar vehicular shelter)
- b. Ten foot front setback for other buildings
- c. Ten foot street side setback
- d. Zero-foot side attached setback
- e. Five foot standard side and rear setback for all other setbacks in the plat

C-2 Archaeological:

"If any cultural resources are discovered in the course of undertaking the development activity, the Office of Archaeology and Historic Preservation in Olympia and Clark County Community Development shall be notified. Failure to comply with these State requirements may constitute a Class C Felony, subject to imprisonment and/or fines."

C-3 Private Roads:

"Clark County has no responsibility to improve or maintain the private roads contained within or private roads providing access to the property described in this plat. Any private access street shall remain a private street unless it is upgraded to public street standards at the expense of the developer or adjoining lot owners to include hard surface paving and is accepted by the County for public ownership and maintenance."

C-4 Critical Aquifer Recharge Areas:

"The dumping of chemicals into the groundwater and the use of excessive fertilizers and pesticides shall be avoided. Homeowners are encouraged to contact the State Wellhead Protection program at (206) 586-9041 or the Washington State Department of Ecology at 800-RECYCLE for more information on groundwater /drinking supply protection."

C-5 Erosion Control:

"Building Permits for lots on the plat shall comply with the approved erosion control plan on file with Clark County Building Department and put in place prior to construction."

C-6 Impact Fees:

"In accordance with CCC 18.65, the School, Park and Traffic Impact Fees for lots in this plat is: \$1,450.00 (Vancouver School District), \$1,315.00 (\$994.00 - Acquisition; \$321.00 - Development for Park District #8), and \$811.90 (Hazel Dell Transportation sub-area) respectively. The impact fees for lots on this plat shall be fixed for a period of three years, beginning from the date of preliminary plat approval, dated _____, and expiring on _____. Impact fees for permits applied for following said expiration date shall be recalculated using the then-current regulations and fees schedule."

D. Standard Conditions

This development proposal shall conform to all applicable sections of the Clark County Code. The following conditions shall also apply:

D-1 Land Division:

Within 5 years of preliminary plan approval, a Fully Complete application for Final Plat review shall be submitted.

D-2 Wetlands:

If there are wetlands or wetland buffers on the site, the requirements of CCC Section 40.450.030(E) apply even if no impacts are proposed. These requirements include:

- a) Demarcation of wetland and/or buffer boundaries established prior to, and maintained during construction (i.e. sediment fence);
- b) Permanent physical demarcation of the boundaries in a manner approved by the Development Services Manager (i.e. fencing, hedgerows, berms etc.) and

posting of approved signage on each lot or every 100 ft of the boundary, whichever is less;

- c) Recording a conservation covenant with the County Auditor that runs with the land and requires that the wetlands and buffers remain in natural state; and,
- d) Showing the wetland and buffer boundaries on the face of the Final Plat or Site Plan and including a note that refers to the separately recorded conservation covenant.

D-3 Pre-Construction Conference:

Prior to construction or issuance of any grading or building permits, a pre-construction conference shall be held with the County.

D-4 Erosion Control:

- a. Prior to construction, the applicant shall submit and obtain County approval of a final erosion control plan designed in accordance with CCC 40.380.
- b. For land divisions, a copy of the approved erosion control plan shall be submitted to the Chief Building Official prior to final plat recording.
- c. Erosion control facilities shall **not** be removed without County approval.
- d. Prior to construction, erosion/sediment controls shall be in place. Sediment control facilities shall be installed that will prevent any silt from entering infiltration systems. Sediment controls shall be in place during construction and until all disturbed areas are stabilized and any erosion potential no longer exists.

D-5 Excavation and Grading:

- a. Excavation/grading shall be performed in compliance with Appendix Chapter 33 of the Uniform Building Code (UBC).
- b. Site excavation/grading shall be accomplished, and drainage facilities shall be provided, in order to ensure that building foundations and footing elevations can comply with CCC 14.04.252.

D-6 Stormwater:

Prior to construction, the applicant shall submit and obtain County approval of a final stormwater plan designed in conformance to CCC 40.380.

D-7 Transportation:

Prior to construction, the applicant shall submit and obtain County approval of a final transportation design in conformance to CCC 40.350.

D-8 Health District:

Submittal of a "Health Department Evaluation Letter" is required as part of the Final Construction Plan Review application. If the Evaluation Letter specifies that an acceptable "Health Department Final Approval Letter" must be submitted, the Evaluation Letter will specify the timing of when the Final Approval Letter must be submitted to the county (e.g., at Final Construction Plan Review, Final Plat Review or prior to occupancy). The Health Department Evaluation Letter will serve as confirmation that the Health Department conducted an evaluation of

the site to determine if existing wells or septic systems are on the site, and whether any structures on the site have been/are hooked up to water and/or sewer.

D-9 Utilities:

A copy of the final acceptance letter from the sewer and water purveyor shall be submitted to the Health District with the final plat mylar. The applicant shall comply with all requirements of the purveyor.

Note: Any additional information submitted by the applicant within fourteen (14) calendar days prior to or after issuance of this report, may not be considered due to time constraints. In order for such additional information to be considered, the applicant may be required to request a hearing extension and pay half the original review fee.

HEARING EXAMINER DECISION AND APPEAL PROCESS

This report to the Hearing Examiner is a recommendation from the Development Services Division of Clark County, Washington.

The Examiner may adopt, modify or reject this recommendation. The Examiner will render a decision within 14 calendar days of closing the public hearing. The County will mail a copy of the decision to the applicant and neighborhood association within 7 days of receipt from the Hearing Examiner. All parties of record will receive a notice of the final decision within 7 days of receipt from the Hearing Examiner.

An **appeal** of any aspect of the Hearing Examiner's decision, except the SEPA determination (i.e., procedural issues), may be appealed to the Board of County Commissioners only by a party of record. A party of record includes the applicant and those individuals who signed the sign-in sheet or presented oral testimony at the public hearing, and/or submitted written testimony prior to or at the Public Hearing on this matter.

The appeal shall be filed with the Board of County Commissioners, Public Service Center, 1300 Franklin Street, Vancouver, Washington, 98668, within fourteen (14) calendar days from the date the notice of final land use decision is mailed to parties of record.

Any appeal of the final land use decisions shall be in writing and contain the following:

1. The case number designated by the County and the name of the applicant;
2. The name and signature of each person or group (petitioners) and a statement showing that each petitioner is entitled to file an appeal as described under Section 18.600.100 (A) of the Clark County Code. If multiple parties file a single petition for

review, the petition shall designate one party as the contact representative with the Development Services Manager. All contact with the Development Services Manager regarding the petition, including notice, shall be with this contact person;

3. The specific aspect(s) of the decision and/or SEPA issue being appealed, the reasons why each aspect is in error as a matter of fact or law, and the evidence relied, on to prove the error; and,
4. If the petitioner wants to introduce new evidence in support of the appeal, the written appeal also must explain why such evidence should be considered, based on the criteria in subsection 18.600.100 (D)(2).
5. A check in the amount of **\$279** (made payable to the Clark County Board of County Commissioners).

Attachments:

- Site Vicinity Map
- Zoning Map
- Copy of SEPA Checklist
- List of Exhibits Received to Date

A copy of the preliminary plan, SEPA Checklist and County Code are available for review at:

**Public Service Center
Department of Community Development
1300 Franklin Street
P.O. Box 9810
Vancouver, WA 98666-9810
Phone: (360) 397-2375; Fax: (360) 397-2011**

A copy of the Clark County Code is also available on our Web Page at:
<http://www.co.clark.wa.gov>